



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

February 4, 1997

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Gerald M. Smith
District Manager
Battle Mountain District
Bureau of Land Management

Dear Mr. Smith:

The U.S. Environmental Protection Agency (EPA) has reviewed the Final Environmental Impact Statement for the **Ruby Hill Project, Eureka County, Nevada**. Our comments are provided pursuant to our responsibilities under the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementation Regulations at 40 CFR 1500-1508, and Section 309 of the Clean Air Act.

The FEIS evaluates alternatives for the Ruby Hill gold mining operations proposed by Homestake Mining Company ("Homestake"). The preferred alternative includes excavation and partial backfilling of an open pit, two waste rock dumps, heap leach facilities, an ore processing facility, power line and water line corridors, and other ancillary facilities.

In our October 7, 1996, comment letter on the Draft Environmental Impact Statement (DEIS), EPA rated both the DEIS proposed alternative and the partial backfill alternative as EO-2 -- Environmental Objections-Insufficient Information. Our EO-2 ratings were based on the DEIS's prediction of potential significant air quality impacts. It appeared in the DEIS that the Proposed Action, the West Waste Rock Dump Alternative, and the Partial Backfilling Alternative all could exceed the annual National Ambient Air Quality Standard (NAAQS) for PM10 (particulate matter smaller than 10 microns). It also appeared that the East Waste Rock Dump Alternative would result in a significant increase in the PM10 annual concentration. EPA requested that the FEIS provide additional information regarding the modeling that was conducted to estimate air pollutant emissions and concentrations, mitigation measures to reduce emissions, and air quality monitoring.

EPA has reviewed the air modelling report for this project, which was provided to us following our comment letter. The report appears well documented and concludes that the project's air emissions would be significantly lower than those projected

in the DEIS. Mitigation measures remain vague in the FEIS, however. We support the advisory group of interested parties, agencies, citizens and Homestake for future mitigation needs.

In our DEIS comment letter, we requested a description of the fate of overflow solutions at the heap leach facilities for storm events greater than the 25-year, 24-hour storm event. The FEIS response #3-7 states that the BLM accepts Nevada's regulatory standard as being sufficient to provide a baseline for analysis of potential impacts associated with the heap leach pad. For purposes of evaluating potential project impacts pursuant to 40 CFR 1502.16, we disagree with BLM that the 25-year, 24-hour storm is a sufficient threshold beyond which potential impacts need not necessarily be evaluated. Indeed, Nevada's standard also requires that process components be designed to withstand the runoff from a 100-year, 24-hour storm event. We suggest that future EISs clarify the potential threats posed by facilities from events greater than the 25-year, 24-hour storm.

We also stated in our DEIS comment letter that, of the action alternatives presented, the West Waste Rock Dump Alternative, would appear to be the environmentally preferable alternative if impacts to air quality and sensitive species could be sufficiently mitigated. We recommended that BLM consider adopting the West Waste Rock Dump alternative as the preferred alternative.

EPA supports BLM's decision to add partial backfilling to the preferred alternative. However, the rationale for BLM's preferred alternative is not completely compelling in the FEIS. It remains unclear why operational flexibility is more important than reducing the impacts from disturbance of 120 more acres than are actually needed for the project. We urge BLM to reconsider its preferred alternative to reduce acreage disturbance.

We appreciate the opportunity to review this FEIS. Please send a copy of the Record of Decision to this office when it becomes available. If you have any questions, please contact Jeanne Geselbracht at (415) 744-1576.

Sincerely,



David J. Farrel, Chief
Federal Activities Office

cc: Leo Drozdoff, NDEP
Jolaine Johnson, NDEP
Rory Lamp, Nevada Division of Wildlife
Mary Jo Elpers, U.S. Fish and Wildlife Service